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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/649,650

08/28/2003

Florian Traulle

P23982

6943

7055

7590

12/08/2004

GREENBLUM & BERNSTEIN, P.L.C.  
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RESTON, VA 20191

EXAMINER

SANDY, ROBERT JOHN

ART UNIT

PAPER NUMBER

3677

DATE MAILED: 12/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/649,650

Applicant(s)

TRAULLE ET AL.

Examiner

Robert J. Sandy

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 and 9 is/are allowed.
- 6) ☒ Claim(s) 8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 28 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/28/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to teach how to make and/or use the invention, i.e., failing to provide an enabling disclosure.

The following is a quotation of 37 CFR 1.71(a)-(c):

(a) The specification must include a written description of the invention or discovery and of the manner and process of making and using the same, and is required to be in such full, clear, concise, and exact terms as to enable any person skilled in the art or science to which the invention or discovery appertains, or with which it is most nearly connected, to make and use the same.

(b) The specification must set forth the precise invention for which a patent is solicited, in such manner as to distinguish it from other inventions and from what is old. It must describe completely a specific embodiment of the process, machine, manufacture, composition of matter or improvement invented, and must explain the mode of operation or principle whenever applicable. The best mode contemplated by the inventor of carrying out his invention must be set forth.

(c) In the case of an improvement, the specification must particularly point out the part or parts of the process, machine, manufacture, or composition of matter to which the improvement relates, and the description should be confined to the specific improvement and to such parts as necessarily cooperate with it or as may be necessary to a complete understanding or description of it.

The specification is objected to under 37 CFR 1.71 because it fails to provide an enabling disclosure teaching how to make the claimed invention, as to the following: the specification fails to provide an enabling disclosure teaching how to make the claimed clasp having wherein "said blocking edge and/or said retracting edge is/are reinforced". The specification fails to describe how the blocking edge and the retracting edge are reinforced. The final sentence on page 7 describes "*Depending on the type of the material of the blocking member, the retracting edge 34 (but also the blocking edge 30) can be provided to be reinforced to limit the problems of wear due to friction with the slider 24*", but does not describe how the respective edges are reinforced. Applicant's are cautioned to **not** enter new matter in response to the above objection by amending the specification, drawings, or claims.

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***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 8 is rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification, pertaining to the claimed non-enabling subject matter wherein “said blocking edge and/or said retracting edge is/are reinforced”.

***Allowable Subject Matter***

Claims 1-7 and 9 are allowed.

The following is an examiner’s statement of reasons for allowance: the prior art of record fails to teach or suggest a slide fastener having the structural combination including a blocking member directly or indirectly affixed to one of the first and second strips whereby, when the first and second strips are interconnected by the first and second fastening devices, the blocking member extends in a blocking position across the path of the slider to interfere with movement of the slider in the opening direction; the blocking member further comprising a retracting device to cause automatic retraction of the blocking member as the slider moves and engages the blocking member in the closing direction, whereby the blocking member comprises a construction to cause automatic return of the blocking member to the blocking position after the slider moves beyond the blocking member in the closing direction.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The slide fastener demonstrate by Roberts et al. (U. S. Patent No. 2,087,045) has a finger piece 7 with a hole 8 thereon that is positioned over pillar 9, which is then secured by recessed half 10, thereby locking preventing the slide (fastener 3a, 3b) from movement. Roberts et al. ('045) fails to have the requisite structure analogous to the blocking member of applicant's claimed invention. Farahany (U. S. Patent No. 5,918,310) shows a zipper slider (16, 17) being protected by protective flaps 18, 19. Hewitt, Jr. (U. S. Patent No. 2,915,798) shows a tab 18 for a slider, the tab being secured to the respective tapes 13, 14, via members 25, 26, 27, 28 "for holding the slide in position at the end of its upward travel." Mikulas (U. S. Patent No. 2,381,359) shows a releasing end stop that enables the fasteners f, f' on their respective tapes t, t', to disengage from one another when the slider 10 is at the top end, "[f]or the purpose of making it possible to quickly open the slide fastener (i.e., without having to draw the slide back to the separable ends of the fastener)." Parkin (U. S. Patent No. 2,341,331) provides an end member A that enables the slider 5 to disengage one row of fastener elements 4, and where the stringer tapes may be separated by a lateral pull on one of the tapes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert J. Sandy whose telephone number is 703-305-7413. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ROBERT J. SANDY  
PRIMARY EXAMINER

Robert J. Sandy  
Primary Examiner  
Art Unit 3677